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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,226	10/29/2001	Harry Vlahos	13497-003001	8380

7590 06/08/2004

Dr. Bala S. Manian
Chairman of the Board
Entigen Corporation
5150 El Camino Real, Suite B23
Los Altos, CA 94022

EXAMINER

MIZRAHI, DIANE D

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 06/08/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

JUN 18 2004

Technology Center 2100

Office Action Summary	Application No. 10/001,226	Applicant(s) VLAHOS ET AL.	
	Examiner DIANE D. MIZRAHI	Art Unit 2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-47 are subject to restriction and/or election requirement.

DIANE D. MIZRAHI
 PRIMARY PATENT EXAMINER
 TECHNOLOGY CENTER 2100

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4 and 6</u> . | 6) <input type="checkbox"/> Other: _____ |

III. DETAILED ACTION

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-31, drawn to facilitating access to data which includes providing each of a plurality of heterogeneous data sources with an associated software wrappers, classified in class 707, subclass 102.

II. Claims 32-41, drawn distributed data processing system configured to receive a data processing request from a requesting entity and processing server configured to provide access to one or more local data processing applications, classified in class 709, subclass 202.

III. Claim 43-47 drawn to managing heterogeneous data sources including the querying a plurality of heterogeneous data sources classified in class 707, subclass 3.

The inventions are distinct, each from the other because of the following reasons: Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case,

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invention I has separate utility such as facilitating access to data which includes providing each of a plurality of heterogeneous data sources with an associated software wrapper without requiring the distributed data processing system configured to receive a data processing request from a requesting entity and processing server configured to provide access to one or more local data processing applications of invention II. See MPEP § 806.05(d).

Inventions I and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as managing heterogeneous data sources including the querying a plurality of heterogeneous data sources that is not facilitating access to data for providing each of a plurality of heterogeneous data sources with an associated software wrapper of Invention I. See MPEP § 806.05(d).

Inventions II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as managing heterogeneous data sources including the querying a plurality of heterogeneous data sources

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without distributed data processing system configured to receive a data processing request from a requesting entity and processing server configured to provide access to one or more local data processing applications of Invention II. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Examiner attempted to contact Dr. Bala S. Manian on May 31, 2004 to request an oral election to the above restriction requirements, but did not result in an election being made because Examiner was unable to reach Dr. Manian.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship

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must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diane Mizrahi whose telephone number is (703) 305-3806.

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line and a small loop.

Diane Mizrahi
Patent Examiner
Technology Center 2100

May 31, 2004

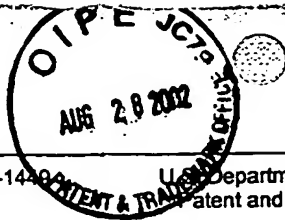
Substitute Form PTO-1449 (Modified) Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office OCT 11 2001 U.S. PATENT OFFICE	Attorney's Docket No. 13497-003001	Application No. 10/001,226
		Applicant Harry Vlahos, et al.	
		Filing Date October 29, 2001	Group Art Unit

U.S. Patent Documents							
Examiner Initial	Desig. ID	Patent Number	Issue Date	Patentee	Class	Subclass	Filing Date If Appropriate
<i>Dr</i>	AA	5,970,490	10/19/1999	Morgenstern	707	10	
	AB	6,064,971	5/16/2000	Hartnett	706	46 46	
	AC	6,102,969	8/15/2000	Christianson et al.	717	146	
	AD	6,125,383	9/26/2000	Glynias et al.	709	202	
	AE	6,134,559	10/17/2000	Brumme et al.	707	105R	
	AF						
	AG						
	AH						
	AI						

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
<i>Dr</i>	AJ	EP1170674A2	1/9/2002	EPO				
<i>Dr</i>	AK	WO00/41094	7/12/2000	PCT				
<i>Dr</i>	AL	WO01/54045	7/26/2001	PCT				
	AM							
	AN							

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
<i>Dr</i>	AO	Arens et al., "Retrieving and Integrating Data from Multiple Information Sources," International Journal of Intelligent and Cooperative Information Systems, Vol. 2, No. 2 (1993) pp. 127-158
<i>Dr</i>	AP	Haas et al., "Transforming Heterogeneous Data with Database Middleware: Beyond Integration", Bulletin of the IEEE Computer Society Technical Committee on Data Engineering, 1997, pp. 1-6
<i>Dr</i>	AQ	Miller et al., "Schema Mapping as Query Discovery", Proceedings of the 26 th VLDB Conference, Cairo, Egypt, 2000
<i>Dr</i>	AR	Miller et al., "The Clio Project: Managing Heterogeneity", ACM SIGMOD Record 30, 1 (March 2001), pp. 78-83
<i>Dr</i>	AS	Roth et al., "A Wrapper Architecture for Legacy Data Sources", IBM Almaden Research Center, 1997, pp. 1-21

Examiner Signature DIANE D. MIZRAHI PRIMARY PATENT EXAMINER	Date Considered 6/1/04
EXAMINER: Initials cited on this form are for information only. Do not cite through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



Substitute Form PTO-1449a (Modified) Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 13497-003001	Application No. 10/001,226
	Applicant Harry Vlahos, et al.		
	Filing Date October 29, 2001	Group Art Unit 2172 2175	

COPY OF PAPERS
ORIGINALLY FILED**U.S. Patent Documents**

Examiner Initial	Desig. ID	Patent Number	Issue Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA						
	AB						
	AC						

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Technology Center 2100**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AD							
	AE							
	AF							

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
DM	AG	Liu, et al., "An Adaptive Approach to Query Mediation across Heterogeneous Information Sources", Cooperative Information Systems Proceedings, First IFCIS International Conference on Brussels, Belgium, June 19-21, 1996, IEEE Computer Society, pp. 144-156
DM	AH	Adah, et al., "Query Caching and Optimization in Distributed Mediator Systems", 1996 ACM Sigmod International Conference on Management of Data, Montreal, Quebec, Canada, June 4-6, 1996, pp. 137-140
Dr	AI	Nodine, et al., "Semantic Brokering over Dynamic Heterogeneous Data Sources in InfoSleuth", Data Engineering Proceedings, 15 th International Conference on Sydney, NSW, Australia, March 23-26, 1999, IEEE Computer Society, pp. 358-365
Dr	AJ	Bayardo, et al., "Infosleuth: Agent-Based Semantic Integration of Information in Open and Dynamic Environments", Sigmod Record, Association for Computing Machinery, New York, Vol. 26, no. 2, June 1, 1997, pp. 195-206
Dr	AK	Roth et al., "Don't Scrap it, Wrap It! A Wrapper Architecture for Legacy Data Sources", Proceedings of the International Conference on Very Large Data Bases, August 26, 1997, pp. 266-275
Dr	AL	Carey et al., "Towards Heterogeneous Multimedia Information Systems: The Garlic Approach", Research Issues in Data Engineering, Fifth International Workshop on Taipei, Taiwan, March 6-7, 1995, IEEE Computer Society, pp. 124-131
Dr	AM	Reinwald, et al., "Heterogeneous Query Processing through SQL Table Functions", Data Engineering Proceedings, 15 th International Conference on Sydney, NSW, Australia, March 23-26, 1999, IEEE Computer Society, pp. 366-373
Dr	AN	Rosenthal, et al., "XML, Databases, and Interoperability", AFCEA Annual Federal Database Colloquium, San Diego, CA, 1999, pp. 1-18

Examiner Signature DIANE D. MIZRAHI PRIMARY PATENT EXAMINER TECHNOLOGY CENTER 2100	Date Considered 6/1/04
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	